

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JUSTIN McCOY,	)	CASE NO. 3:12-cv-727
	)	
Plaintiff,	)	JUDGE DAVID A. KATZ
	)	
v.	)	MAGISTRATE JUDGE VECCHIARELLI
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security	)	
	)	
Defendant.	)	<b><u>ORDER</u></b>

Plaintiff was afforded 60 days from the date the Commissioner filed his answer and transcript of administrative proceedings to file his Brief on the Merits. (Doc. No. 5.) The Commissioner filed his answer and transcript on June 25, 2012. (Doc. Nos. 9, 10.) Therefore, Plaintiff's Brief on the Merits was due on or before August 24, 2012. Plaintiff has not filed his Brief on the Merits or requested an extension of time to do so. Accordingly, Plaintiff's Brief on the Merits is overdue. **The Court directs Plaintiff to file his Brief on the Merits within seven (7) days, on or before Tuesday, October 2, 2012, or show cause why this case should not be dismissed. The failure to do either may result the recommendation that this case be dismissed.**

**IT IS SO ORDERED.**

s/ Nancy A. Vecchiarelli  
U.S. Magistrate Judge

Date: September 25, 2012